

27 January 1956

MEMORANDUM FOR: Deputy Director (Support)

SUBJECT : Language Resources Program

1. We have had some reservations about the legal propriety of paying "incentive awards" under the proposed language resources program. While informal discussions with representatives of the GAO indicated that a favorable opinion might be obtained from the Comptroller General, a formal submission will be necessary.

2. Attached hereto is a draft of such submission for the Director's signature.

3. It is our understanding from Mr. [] that the Foreign Service does not yet have an equivalent program and that they may have to seek the appropriate authority through legislation.

STATINTL

[]
Assistant General Counsel

STATINTL

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*Language Resources Program
(draft submission to Comptroller-
Gen.)*

For the effective fulfillment of its functions, this Agency requires an increasingly greater number of personnel who are proficient in one or more foreign languages. Future requirements that are not susceptible to an accurate current analysis may suddenly generate a demand far in excess of the Agency's capabilities. Experience has shown that such demands cannot be satisfactorily met from sources outside the Agency. Either the source is not sufficient or there is not enough time to make the source available and still observe proper security restrictions. In order to meet future needs, I propose to establish a language resources program.

Under the program, the relative difficulties of various languages will be evaluated and standards of competence in their use will be established. In order to provide the necessary incentive among Agency personnel, I propose to make certain payments for acquiring competence in a language and additional periodic payments for maintaining such competence at fixed levels of proficiency.

Counsel has advised me that while the proposed payments could conceivably be made under the Government Employees Incentive Awards Act of 1954 [68 Stat. 1113, 5 U.S.C. 2123 (a) (1954)] it would not appear to be the type of payment intended by Congress under that Act. The pertinent provision states:

"(a) The head of each department is authorized to pay cash awards to, and to incur necessary expenses for the honorary recognition of, civilian officers and employees of the Government who by their suggestions, inventions, superior accomplishments, or other personal efforts contribute to the efficiency, economy, or other improvement of Government operations or who perform special acts or services in the public interest in connection with or related to their official employment".

However, there appears to be clear authority under the Central Intelligence Agency Act of 1949 [63 Stat. 208, 50 U.S.C. 403 (1949)] within the language of Sec. 10(a) which provides in pertinent part:

"Notwithstanding any other provisions of law, sums made available to the Agency by appropriation or otherwise may be expended for purposes necessary to carry out the Agency's functions including...".

(It is my firm belief that the program is necessary to carry out the Agency's functions.)

Before undertaking the program described above, your opinion is requested as to whether such payments can properly be made to Agency personnel under the authority of

- (a) The Government Employees Incentive Awards Act of 1954, or
- (b) The Central Intelligence Agency Act of 1949.